IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 31109 of 2007(C)

PETITIONER:

FATHIMABEEVI, W/O. MUHAMMEDKUNJU,
AGED 55 YEARS, KANNITTAYIL KAMBIVALAPPIL,
KAKKAZHAM P.O., AMBALAPUZHA.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:

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1. THE TAHSILDAR (R.R.),
AMBALAPUZHA.

2. THE VILLAGE OFFICER,
AMBALAPUZHA.

3. THE FEDERAL BANK,
AMBALAPUZHA BRANCH, REP. BY ITS MANAGER.

BY ADV. SRI. MATHEW VADAKKEL, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO.31109 of 2007

Dated this the 19th day of October, 2007

JUDGMENT

The petitioner is aggrieved by Ext.P1 notice under the Revenue Recovery Act, showing that the petitioner's son Hashim has defaulted the loan amount and it is being enforced, as against the petitioner, and the movable assets belonging to her kept in her house. In my view, the claim made by the petitioner should be by way of a claim petition under the Revenue Recovery Act. The petitioner has detailed her grievances under Ext.P3.

2. In the facts and circumstances of the case, after hearing the learned counsel for the petitioner and the learned Government Pleader, the writ petition is disposed of directing the first respondent to look into Ext.P3, consider the claim of the petitioner as regards the title to the movables which are kept in her house and take a decision thereon, within a period of six weeks from the

date of receipt of a copy of this judgment. Till a decision is taken on Ext.P3, enforcement of Ext.P1 shall be kept in abeyance, insofar as the petitioner and the assets kept by her in her house are concerned.

V. GIRI, JUDGE

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